

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARIO H. CAPOGROSSO,

Plaintiff,

-against-

ALAN GELBSTEIN, *in his individual capacity*, IDA  
TRASCHEN, *in her individual capacity*, DANIELLE  
CALVO, *in her individual capacity*, SADIQ TAHIR,  
*in his individual capacity*, PEC GROUP  
OF NY, INC., DAVID SMART, and DMV  
COMMISSIONER MARK SCHROEDER,  
*in his official capacity*,

Defendants.  
-----X

**BLOOM, United States Magistrate Judge:**

The Court held a telephone status conference in this action on March 16, 2021. Defendant Smart answered plaintiff's interrogatories under oath on the record. The Court shall have a transcript of the conference made part of the record. The Clerk of Court shall mail plaintiff a copy of the transcript. ECF No. 163. Discovery in this matter is closed. The briefing schedule set by Judge Komitee for defendants' motion for summary judgment remains in effect. A copy of this Order shall be sent to plaintiff and to Defendant Smart.

SO ORDERED.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ APR 06 2021 ★  
~~BROOKLYN OFFICE~~

**ORDER**  
**18 CV 2710 (EK)(LB)**

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ APR 06 2021 ★  
*Return Mail/Dkt*  
BROOKLYN OFFICE

\_\_\_\_\_/S/  
LOIS BLOOM  
United States Magistrate Judge

Dated: March 18, 2021  
Brooklyn, New York

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARIO H. CAPOGROSSO,

Plaintiff,

-against-

ALAN GELBSTEIN, *in his individual capacity*, IDA  
TRASCHEN, *in her individual capacity*, DANIELLE  
CALVO, *in her individual capacity*, SADIQ TAHIR,  
*in his individual capacity*, PEC GROUP  
OF NY, INC., DAVID SMART, and DMV  
COMMISSIONER MARK SCHROEDER,  
*in his official capacity*,

Defendants.  
-----X

**BLOOM, United States Magistrate Judge:**

Defendant Smart, who proceeds in this matter *pro se*, writes to oppose plaintiff's motion for sanctions, ECF No. 157, to request an extension of time, *nunc pro tunc*, to serve his responses to plaintiff's interrogatories, and to request the appointment of limited-scope pro bono counsel for the purpose of moving for summary judgment. ECF No. 161. Defendant Smart's requests are granted in part and denied in part.

On February 25, 2021, the Court denied plaintiff's motion for sanctions without prejudice. ECF No. 159. Accordingly, Defendant Smart's request to oppose sanctions is denied as moot.

The Court grants Defendant Smart's request for an extension of time to serve his responses to plaintiff's interrogatories *nunc pro tunc*. Defendant Smart states that he received assistance from the City Bar Justice Center's Pro Se Project ("the Pro Se Project") to draft his responses to plaintiff's interrogatories and intends to serve a copy of his responses shortly. The Court notes that Defendant Smart's letter is dated February 24, 2021 and that Defendant Smart

**ORDER  
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may have already served his interrogatory responses. However, the conference scheduled for **March 16, 2021 at noon shall proceed as scheduled.** The parties including defendant Smart shall call the Chambers telephone conference line at (888) 363-4734 and use the access code 4444221 at 12:00p.m. on March 16, 2021.

Defendant Smart requests the Pro Se Project's assistance in searching for limited-scope pro bono counsel. The Court grants defendant Smart's request for the Pro Se Project to seek limited-scope pro bono counsel in order for Mr. Smart to move for summary judgment.

SO ORDERED.

\_\_\_\_\_/S/  
LOIS BLOOM  
United States Magistrate Judge

Dated: March 11, 2021  
Brooklyn, New York

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EASTERN DISTRICT OF NEW YORK  
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BROOKLYN, NY 11201

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Sadiq Tahir  
2994 Coney Island Avenue  
Brooklyn, NY 11235



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